

Application No. 09/548683
Page 6

Amendment
Attorney Docket No. S63.2R-10973-US02

REMARKS

This Amendment is in response to the Office Action dated November 5, 2003.
Each in the official action is discussed below.

§103 Rejections

Claims 1-5 and 8-14 were rejected under 35 USC §103(a) as being unpatentable over Sawyer (US 5108417) in view of Burton et al. (US 5026377). The details of the rejection are described on pages 2-4 of the official action.

Applicant respectfully traverses. The combination of references fails because it does not disclose each and every element of the claimed invention. There is no disclosure regarding "guiding a neuro-interventional catheter to [a] neurovascular target vessel site", as required by the claimed invention. The delivery device described in Burton et al. is utilized in larger vessels and not designed for neurovascular navigation. Neurovascular vessels are highly tortuous and quite smaller and navigation and delivery of a stent is more dangerous. The differences between the procedures are sufficient to require different devices and techniques. As such, stent delivery devices would not be readily interchangeable. It would not have been obvious to utilize the delivery device of Burton et al. due to its overall profile and its stiffness due to the layers that make of the profile in the stent loading region.

The method of stent delivery is also not disclosed. The claims require that the stent is advanced through the catheter in an upstream to downstream direction to the target site in a contracted stent condition. The "guiding" requires engaging a pusher wire with the stent, pushing the stent through the catheter with the pusher wire, and expelling the stent from the catheter at the target site. The stent carried by the delivery device described in Burton et al. is mounted on a grip member, which is mounted about an inner core. The stent remains stationary on the grip member while the outer sleeve is retracted proximally (see col. 6, lines 40-47 and 61-66). As such, required method steps are not disclosed or made obvious by the cited references.

A further distinction is that the device of Burton et al. is designed to carry a braided stent. The stent of the present invention is formed from a coiled ribbon. The dynamics of loading and delivering the two types of stents is different.

Application No. 09/548683
Page 7

Amendment
Attorney Docket No. S63.2R-10973-US02

For the above reasons, the cited references fail to provide for all of the elements in the claimed methods and as such fails to make the claims obvious. Withdrawal of the rejection is therefore requested.

Claims 1, 5 and 6 were rejected under 35 USC §103(a) as being unpatentable over Kropt (US 4760849) in view of Burton et al.

For the above reasons listed in response to the rejection based on Sawyer and Burton et al, the present rejection similarly fails. The cited references fail to provide for all of the elements in the claimed methods and as such fails to make the claims obvious. Withdrawal of the rejection is therefore requested.

Allowable Subject Matter

Applicant acknowledges the allowability of claim 7, however, in light of the above arguments and amendments, it is believed that further amendments to make claim 7 independent are unnecessary.

Application No. 09/548683
Page 8

Amendment
Attorney Docket No. S63.2R-10973-US02

CONCLUSION

The claims are now believed to be in condition for allowance. The prompt allowance of these claims is earnestly solicited. If the Examiner wishes to discuss further issues, he is invited to contact the undersigned

Respectfully submitted,

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